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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,351	12/05/2000	Tomohiko Teranishi	011350-265	6715
21839	7590	03/15/2006	EXAMINER	
BUCHANAN INGERSOLL PC (INCLUDING BURNS, DOANE, SWECKER & MATHIS) POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			BURLESON, MICHAEL L	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/729,351

Applicant(s)

TERANISHI ET AL.

Examiner

Michael Burleson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 5-7, filed 01/30/2006, with respect to the rejection(s) of claim(s) 6-11 have been fully considered and are persuasive. Therefore, the finality of the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Salgado et al. US 5946527, Fumiaki Kamijo (hereby known as Kamijo) JP 10174052 and Moro US 5357348.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Salgado et al. US 5946527.

3. Regarding claim 6, Salgado et al. teaches of receiving mixed size documents and detects the largest sheet and proceed to image process the documents (column 6, lines 17-40), which reads on an image forming apparatus, comprising; a receiving unit for receiving an individual print job comprising image data based on multiple document images of various sizes; a detecting unit for detecting a maximum size of document images; a selecting unit for selecting paper with a size equal to or larger than the

detected maximum size and a forming unit for forming images based on the image data on the selected paper.

4. Claims 7, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Fumiaki Kamijo (hereby known as Kamijo) JP 10174052.

5. Regarding claim 7, Kamijo teaches of receiving pictures having various sizes and detecting the maximum size of the images (page 2, paragraph 009-0011), which reads on receiving unit for receiving an individual print job comprising image data based on multiple document images of various sizes and detecting unit for detecting a maximum size of the document images. Kamijo teaches of calculating a scale factor (page 2, paragraph 0011-0013 and 00221), which reads on calculating unit for calculating a scaling factor that causes the detected maximum size to match with the size of a print area. Kamijo teaches that the target images are reduced and an image is created and displayed (page 2, paragraph 0013), which reads on a processing unit for scaling up or down the sizes of the document images based on the calculated scaling factor and a forming unit for forming images based on the processed image data on the print area.

6. Regarding claim 10, the structural elements of apparatus claim 7 performs all of the steps of method claim 10. Thus, claim 10 is rejected for the same reasons discussed in the rejection of claim 7.

7. Regarding claim 11, Although Kamijo does not claim a computer readable medium; it is well known that method applications are stored on a computer readable

medium. The method of claim 7 performs all of the steps of claim 11. Thus, claim 11 is rejected for the same reasons discussed in the rejection of claim 7.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fumiaki Kamijo (hereby known as Kamijo) JP 10174052 in view of Salgado et al. US 5946527.

10. Regarding claim 8, Kamijo teaches of receiving pictures having various sizes and detecting the maximum size of the images (page 2, paragraph 009-0011), which reads on receiving unit for receiving an individual print job comprising image data based on multiple document images of various sizes and detecting unit for detecting a maximum size of the document images. Kamijo teaches of calculating a scale factor (page 2, paragraph 0011-0013 and 00221), which reads on calculating unit for calculating a scaling factor that causes the detected maximum size to match with the size of a print area. Kamijo teaches that the target images are reduced and an image is created and displayed (page 2, paragraph 0013), which reads on a processing unit for scaling up or

down the sizes of the document images based on the calculated scaling factor and a forming unit for forming images based on the processed image data on the print area.

11. Kamijo fails to teach of the print area is the entire area of a sheet of paper.

12. Salgado et al. teaches that all document images are processed on the selected documents (column 6, lines 35-38), which reads on print area is the entire area of a sheet of paper.

13. The apparatus of Kamijo could have been modified to make the print area is the entire area of a sheet of paper of Salgado et al. This modification would have been obvious to one of ordinary skill in the art at the time of the invention in order to process large images.

14. Claim 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Fumiaki Kamijo (hereby known as Kamijo) JP 10174052 in view of Moro US 5357348.

15. Regarding claim 9, Kamijo teaches of receiving pictures having various sizes and detecting the maximum size of the images (page 2, paragraph 009-0011), which reads on receiving unit for receiving an individual print job comprising image data based on multiple document images of various sizes and detecting unit for detecting a maximum size of the document images. Kamijo teaches of calculating a scale factor (page 2, paragraph 0011-0013 and 00221), which reads on calculating unit for calculating a scaling factor that causes the detected maximum size to match with the size of a print area. Kamijo teaches that the target images are reduced and an image is created and displayed (page 2, paragraph 0013), which reads on a processing unit for scaling up or

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down the sizes of the document images based on the calculated scaling factor and a forming unit for forming images based on the processed image data on the print area.

16. Kamijo fails to teach of the print area is an area obtained by dividing the entire area of a sheet of paper into equal parts.

17. Moro teaches that the copying sheets (105-109) are divided up into equal parts (figure 13 and column 10, lines 56-67), which reads on the print area is an area obtained by dividing the entire area of a sheet of paper into equal parts.

Conclusion

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at (571) 272-7471

Michael Burleson
Patent Examiner
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Handwritten signature of Michael Burleson, consisting of stylized initials 'MB'.

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MIb

March 13, 2006

Kimberly Williams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER